

**AMENDMENTS TO THE DRAWINGS**

The attached sheet of drawings includes changes to Fig.

2. This sheet, which includes Figs. 2 and 3, replaces the original sheet including Figs. 2 and 3.

### **REMARKS**

In this response, claims 8-14 have been amended, and no claims have been added or canceled. Accordingly, claims 1-22 and 24-29 remain pending in the present application. Reconsideration of the above-identified patent application is hereby requested.

### **Drawings**

The Examiner has objected to the drawings under 37 CFR 1.83(a) because the descriptive labels for items 204, 202, S, I, R, L, P are not included in figure 2.

Applicant hereby submits replacement drawings in the form of corrected drawing sheets that are responsive to the Examiner's objection. Applicant respectfully requests that the objections be withdrawn.

### **Claim Rejection - 35 USC § 112**

The Examiner has rejected Claims 8-14 under 35 U.S.C. 112, first paragraph, as "the program/instruction/software stored/embedded on the memory is critical or essential to the practice of the invention, but not included in the claim(s)." March 7, 2007, Office Action, page 3. Specifically, the Examiner asserted that "the claimed 'memory' recited in 4 of claim 8 does not include program/instructions/software and therefore, such claimed 'memory' can not cause the processor to function. For example, a computer with memory and processor installed but lack

of program/software/instructions has no functionality." March 7, 2007, Office Action, page 3. Reconsideration and withdrawal of this rejection is requested in view of the following discussion and of the amendments made to the claims.

In response, Applicant has amended Claims 8-14 to include the limitation of "the memory having computer-readable program code stored thereon that, when executed by the processor, will cause the processor to" perform the claimed functionality.

Applicant asserts that the Specification as filed complies with 35 U.S.C. § 112, first paragraph. Thus, Applicant respectfully requests that the § 112 rejection to Claims 8-14 be withdrawn.

#### **Claim Rejections - 35 USC § 102**

The Examiner has withdrawn the allowability of claims 8-9 and 13-14 and now rejects these claims under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,954,650, issued to Saito et al. (herein Saito). Specifically, the Examiner has rejected these claims as the Examiner has asserted that all the limitations of these claims are taught by Saito. Reconsideration and withdrawal of this rejection is requested in view of the following discussion.

It is axiomatic that for a reference to be anticipatory, each and every feature in the claims must be disclosed by the single reference. Saito **does not** anticipate the

features present in Claims 8-14 to allow "display a corresponding image from a second series of images for the subject in a second orientation on the display based on the selection signal."

Applicant respectfully submits that Saito teaches the fusion of various images, each series of images being generated by a different imaging modality. Before the images are fused, they are aligned so that each of the images in a particular modality is aligned with another image in another modality. However, these images that are to be aligned and fused are of the same orientation. For example, referring to Fig. 1, images 3a, 4a and 5a are of the same orientation, as well as images 3b, 4b and 5b. The selection of a point F1A in image 3a (one orientation) does not cause the display of image 4b (a second orientation).

In view of the explanation above, Applicant asserts that the Specification as filed complies with 35 U.S.C. § 112, first paragraph. Thus, Applicant respectfully requests that the § 112 objection to the Specification, and rejection of claims 8-14 be withdrawn.

#### **Allowable Subject Matter**

Applicant would like to thank the Examiner for allowing Claims 1-7, 15-22, and 24-29. Applicant respectfully submits that claims 8-14 are also allowable. Thus, Applicant respectfully requests that the currently pending claims be allowed to proceed to issuance at the earliest possible time.

**CONCLUSION**

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

Respectfully submitted,

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